

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARABELLA SARVER,

Plaintiff,

v.

CHARITA DOWDELL,

Defendant.

Case No. 5:25-cv-05046-SVK

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED;
ORDER EXTENDING DEADLINE TO
FILE A RESPONSE AND VACATING
AUGUST 5 HEARING**

Re: Dkt. No. 5

Plaintiff Arabella Sarver, appearing pro se, filed an application for a restraining order against Defendant Charita Dowdell in the Superior Court of California on or about May 14, 2025. Dkt. 1 at 1. *See generally* Dkt. 1-1. On June 13, 2025, Dowdell filed notice to remove the case from the Superior Court to the Northern District of California. *See generally* Dkt. 1. On June 20, 2025, Dowdell filed a Motion to Dismiss under Federal Rule of Civil Procedure 12(b)(1). Dkt. 5.

Pursuant to Local Rule 7-3, Sarver's deadline to respond was July 7, 2025. Dkt. 5. But Sarver, who is not an e-filer, did not file a Response. Dowdell timely filed a Reply on July 14, 2025. Dkt. 8. Defendant's Reply cites Ninth Circuit case law to argue that Sarver's failure to respond can be sufficient grounds for this Court to grant Dowdell's Motion to Dismiss. Because Plaintiff is not an e-filer and this Order and any Response will have to be processed by U.S. mail, Plaintiff is hereby **ORDERED** to either file a Response, or show cause **no later than August 5, 2025**, why this case should not be dismissed for failure to prosecute, specifically, failure to file a Response within the required time.

The Parties are scheduled for a hearing on Defendant's motion to dismiss on August 5, 2025. Dkt. 5. The Court **VACATES** the hearing, which is to be reset if Plaintiff files a response and the Court determines that a hearing is necessary.

The Court encourages Plaintiff to become an e-filer and informs Plaintiff regarding

resources that the Federal Pro Se Program at the San Jose Courthouse can provide. The Program provides free information and limited-scope legal advice to pro se litigants in federal civil cases. It is available by appointment and on a drop-in basis at Room 2070 in the United States Courthouse in San Jose (Monday to Thursday 9:00 a.m.–4:00 p.m.) or by calling (408) 297-1480. In addition, the Court offers a pro se handbook free of charge; a copy may be downloaded from <https://cand.uscourts.gov/pro-se-handbook/> or obtained from the Clerk’s Office.

SO ORDERED.

Dated: July 15, 2025



SUSAN VAN KEULEN
United States Magistrate Judge